

Oscar L. Finley
Mount Olive Correctional Complex
Quilliams I. Pod 5-cell 518
One Mountainside Way
Mount Olive, West Virginia 25185

FILED

JAN 24 2003

SAMUEL L. KAY, CLERK
District & Bankruptcy Court
Eastern District of West Virginia

January 22, 2003.

Mr. Samuel L. Kay, Clerk.
United States District Court
Robert C. Byrd U.S. Court House, & IRS Complex
Suite 119
110 N. Heber Street
P.O. Drawer 5009
Beckley, W. Va. 25801

5:03-0066

RE: Finley v. Rubenstein, Com. of Corr. et al.

Dear Clerk Kay;

I am in receipt of your response dated December 27, 2002, and at this time wish to send forth this written pro-se complaint for a Federal Investigation.

I have been, "Threatened, Assaulted, and Stubbed in the arm by a Correctional Officer, severely injured, and the same Correctional Officer" Capt. Joshua Collins, Clerk, went and stated he stabbed me in front of Capt. Joseph Woods October 17, 2002, at 1630 hrs. However, Capt. Woods laughed about it and enjoyed hearing this. And refused to file any incident report on it.

Gov. Wise, Commissioner of Corrections to Warden McBride, on down refuse to assist me, but keeps me on lock-up. Institutional Magistrate Betty Slayton, has stated Federal Law does not exist herein this country.

I have filed to the Fayette County Circuit Court core of Honorable Judge Vickers, on how to get warrants for arrest of certain officials herein Mt. Olive, with no response.

I, filed all procedures on appeals and both were clearly denied without cause nor were they read or investigated and clearly states its on video were Cpl. Collins tried to break my neck, and stabbed me in the left upper forearm.

2). I am to receive one (1) hour in the Row Library the last time I only received thirty-five (35) minutes, and each time it gets shorter. Nor can I type or work on a civil action due to a certain Cpl. Leo Peak, has stated he was ordered to read everything I do, therefore, I can't work on any thing for this Court. (See attach a memo sent to Warden, and acting Warden, with no response).

3). Sir, my only problem is I'm a Indigent Person, and I have to live on a six (\$6.00) dollar turn-in every two months and I can't afford stamps, envelopes to send out one or two large packages. I & I do its taken out of my only income, however, it would at least twelve to thirteen stamps to get it to this Honorable Court.

My position is very complicated and if I had the stamps and a large envelopes I would send them to Honorable Judge Vanderort. For I have valuable documents that would be sent to him, as to the illegal actions that sets forth herein this is complete.

And if Honorable R. Clarke Vanderort feels I have a case then maybe he would contact me by phone. I have a severe chronic condition, Rheumatoid Arthritis and its very easy to injure me either by handcuffs, or shackles, or by just grabbing my wrists.

Sir, I need help in the worse manner, I've been de
liberately stabbed, Assaulted, Threatened, and my Personal
Property destroyed by this Administration.

Please contact me as soon as possible, time is of the essence, your prompt time and assistance will be greatly appreciated.

Respectfully

Oscar L. Finley, #15137

Guilliams I. Pod 5-cell 518

Pro-se

One Mountainside Way
Mount Olive, West Virginia 25185

Refuse to
Respond, condons
to this action
both Warden McBride
and Mr. Voth's behavior.
Exhibit I

TO : Mr. Michael V. Coleman, Acting Warden

FROM : Oscar R. Finley, #15137, D. I. #00518

DATE : December 12, 2002,

RE : Abuse of Authority

MEMORANDUM

Mr. Coleman;

I have written, and filed litigation into your office concerning one Epl. Peak, and each time there has been no type of response. On the above date Epl. Peak went and shortened my time in the law library, stating your time stops when your cell door is open. I have been doing time for sixteen (16) years and I've been here in Quilliam I and II, numerous times and this is the first I have heard of that ruling procedure. I only received thirty-five (35) minutes not the whole hour. Is this one of your new procedures?

2) Epl. Peak, is making threatening statements, that you will place forth an order giving him permission to handle, touch my Medicine Bag, and its contents. His excuse is he's Native American, and that gives him the right to handle it.

3) December 11, 02 Cpl. Peab, clearly stated he can touch or handle my Medicine Bag, any time. I showed him the memorandum dated June 11, 2002, Cpl. Peab, left cussing stating I'll get even.

4) As I was coming back from Law Library Cpl. Peab, kept stating he'll get an order from Michael Coleman stating he can touch it. In response I stated Federal Judge would not uphold his order, it's in violation of my religious rights and what's inside of it is sacred, Cpl. Peab, clearly stated excuse the insolence of language, "Fuck the Federal Judge," Michael Coleman will give me my order, shut your fucking mouth.

Once back at the cell while I was leaning up against the wall, Cpl. Peab based off, and put his face in to mine, and was blowing his breath into my left side of my face.

5) However, this is not the first Cpl. Peab, has abused the authority, December 4, 02, I was denied the right to go to Law Library, his excuse I had facial hair on my face, I just shaved that morning, and everybody knows I can't grow facial hair I only need to shave once a week. Cpl. Peab, started disrespecting me by calling my mother, a "Bitch and a Whore," I filed a B-7 to Capt. Williams, however, Cpl. Peab got a hold of it read it and threw it away. That night he started on me again and told me about the B-7.

Wherefore, it seems you do condemn Cpl. Peab's attitude

attitude, an abuse of authority. Why is this officer still allowed to work herein this complex, Mr. Coleman, you are at this time responsible for his actions, Read W.Va. Code 29-5-4

Maybe, that's why you have refused to assist me or even speak with me," the funny part is I'm the only one who is punished, never staff, example Mason Harold, COTB 5 turnp, no punishment, suspension. Yet I can receive six (6) months for assault and/or battery, but and inmate named "Dano Smith", only receives ninety (90) days for beating up a fifty-five (55) year old man. Why is that, Magistrate can't pick-n-choose who is to get the most or least, if one gets ninety (90) days then all of the inmates should get ninety (90) days.

Mr. Coleman, if I am injured again either by handcuffs or shankles, or assaulted in any way shape or form I will have no choice but to bring charges, through judicial system, you misinterpret LOR, and the courts would see that staff is never at any time punished or terminated yet I've been assaulted injured slandered because I'm incarcerated, I like Capt. Woods, stated Oct. 9, 02, you're just an inmate. "In front of the bailiff,

Your prompt attention will be greatly appreciated, yet I know you'll do nothing.

cc:

Respectfully,

W. Vest, A.W.S.

Billy Slayton, May.

Discord. 7/16/03

E. Chandler, ex. ass.

K. Zucos, Asst. W.P.

D.I. Pod 5-514

E. Zucos, D.E.S.

K. Dillon, Per.

exhibit 2.

Complaint was filed and sent
to Gov. Wise, no response, nor did
he order an investigation.

This was certified
when I had a job and
a turn-in, on segregation
I have no job, just
\$14 (\$6,000 dollar turn-in
every two months

RECEIVED 4406 9000 0152 1006

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
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Postage	\$ 1.29
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Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.34
Sent To: Gov. BOB WISE % GOVERNORS OFFICE	
Street, Apt. No., or PO Box No. 1900 KANAWHA BLD.	
City, State, ZIP+4 [®] CHAS WV 25305	

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Governor BOB WISE, ESQ.
% GOVERNORS OFFICE
WV STATE Capitol
1900 KANAWHA BLD.
CHAS WV 25305

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X *Susanra* *2/20/02*
Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

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2

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